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COUNCIL OF EUROPE
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Doc. 13673
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Prisoner's location in Spain

Reply to the Written question No. 663 (Doc. 13578)
Committee of Ministers

1. The Committee of Ministers sees no reason to question the information received from the Spanish authorities that there are no political prisoners in Spain: the prisoners referred to in the written question were all convicted of serious criminal offences following legal proceedings conducted in conformity with the standards set by Article 6 of the European Convention on Human Rights.

2. In reply to the Honourable Parliamentarians' question, the Committee of Ministers notes that the European Court of Human Rights has not found Spain in breach of the Convention on the ground that Spanish prisoners are not held in institutions in areas close to their families. The European Prison Rules, adopted on 11 January 2006, recommend that "prisoners shall be allocated, as far as possible, to prisons close to their homes or places of social rehabilitation" (Rule 17.1). At the same time, Rule 17.2 stipulates that "Allocation shall also take into account the requirements of continuing criminal investigations, safety and security and the need to provide appropriate regimes for all prisoners".

3. With respect to the reference made in the written question to the case *Del Rio Prada v. Spain*, the Committee of Ministers notes that it closed the examination of the supervision of the execution of this case in July 2014 in the light of information provided by Spain, according to which all prisoners considered by the Court as having been unlawfully denied an early release, had now been released.